

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

A REVIEW OF THE RATES AND CHARGES)	
AND INCENTIVE REGULATION PLAN OF)	CASE NO. 90-256
SOUTH CENTRAL BELL TELEPHONE COMPANY)	

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed June 10, 1991 pursuant to 807 KAR 5:001, Section 7, for confidential protection of South Central Bell's price-out of MTS service by distance band and time of day filed in response to Item 10 of the Attorney General's data request on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

As part of the review of South Central Bell's incentive regulation plan, the Attorney General requested that South Central Bell "provide a complete detail price-out of the MTS service showing rates, units and revenues by distance band, by time of day." The information shows in detail South Central Bell's traffic mix by time of day and mileage band, which South Central Bell seeks to protect as confidential.

The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a business need to know and act upon the information. South Central Bell seeks to

preserve and protect the confidentiality of the information through all appropriate means.

807 KAR 5:001, Section 7, protects information as confidential when it is established that disclosure is likely to cause substantial competitive harm to the party from whom the information was obtained. In order to satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

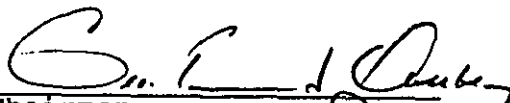
Disclosure of the intraLATA MTS units and revenues by mileage band and time of day could adversely affect South Central Bell's competitive position. The data shows in detail South Central Bell's traffic mix by time of day and mileage band and could be used by competitors in planning and marketing competing services. Therefore, the information should be protected as confidential.


This Commission being otherwise sufficiently advised,

IT IS ORDERED that the information filed in response to Item 10 of the Attorney General's data request, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 1st day of November, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director